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# OFFICIAL GAZETTE

## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

Labour and Information Department

#### Notification

LC/48/SE/68/1428

The following draft of the rules, which the Administrator of Goa, Daman and Diu proposes to make in exercise of the powers conferred by sub-section (1) of section 59 of the Goa, Daman and Diu Shops and Establishments Act, 1973 (13 of 1974) is hereby published for the information of all persons likely to be affected thereby, as required by sub-section (3) of section 59 of the said Act.

Notice is hereby given that the said draft will be taken into consideration after 15 days from the date of publication of this notification in the Official Gazette and that any objection or suggestion which may be received from any person with respect thereto within the period aforesaid will be considered by the Government. Objections and suggestions should be sent to the Secretary, Industries and Labour, Government of Goa, Daman and Diu, Secretariat, Panaji (Goa). —

#### DRAFT RULES

In exercise of the powers conferred by section 59 of the Goa, Daman and Diu Shops and Establishments Act, 1973 (13 of 1974), the Administrator of Goa, Daman and Diu after complying with requirements of pre-publication hereby makes the following Rules, namely: —

**1. Short title.** — These rules may be called the Goa, Daman and Diu Shops and Establishments Rules, 1974.

**2. Definitions.** — In these rules, unless the context otherwise requires —

(a) "Act" means the Goa, Daman and Diu Shops and Establishments Act, 1973 (13 of 1974);

(b) "Commissioner" means Labour Commissioner or Commissioner, Labour and Employment, Government of Goa, Daman and Diu;

(c) "form" means a form appended to these rules;

(d) "section" means section of the Act;

(e) "schedule" means a schedule appended to these rules;

(f) words and expressions used but not defined in these rules shall have the meanings assigned to them in the Act.

#### Registration of Establishments

**3. Form of submitting statement, challan and other particulars under section 3.** — The employer of every establishment shall, within the period specified in sub-section (1) of section 3, send to the Inspector of the area a statement in form I together with challan after remitting fee as prescribed in schedule A.

**4. Payment of fees.** — The fees prescribed under these rules shall be remitted into the Government treasury/State Bank of India under the head of account «087 Labour and Employment-fees realised under the Goa, Daman and Diu Shops and Establishments Act, 1973». The fees once remitted shall under no circumstances be refunded.

**5. Manner of registering the establishments and form of registration certificate.** — The Inspector of the area concerned shall, on receipt of a statement in form I under sub-section (1) of section 3 together with the fee prescribed in schedule A, verify the correctness of the particulars and register the shop or establishment, as the case may be, in the register of establishments prescribed in form II and issue a certificate of registration in form III.

**6. Renewal of registration certificate.** — A registration certificate shall be renewed every year by making an application to the Inspector in form IV together with the challan paying registration fees as prescribed in schedule A within thirty days of the expiry of the validity of the registration certificate.

**7. Issue of duplicate registration certificate.** — If a registration certificate issued under rule 5 is lost, destroyed or defaced, the employer of the establishment shall forthwith report the matter to the Inspector of the area and shall apply in form V with a fee of one rupee for the issue of a duplicate registration certificate. Upon the receipt of such application together with the fees, the Inspector shall furnish to the employer with a duplicate copy of the registration certificate duly stamped "duplicate".

**8. Notice of change.** — The employer shall give notice to the Inspector of the area in form VI of any change in any of the particulars in the statement in form I within 15 days after the change has taken place together with the registration certificate and

fee specified in schedule B. The Inspector shall amend the registration certificate or issue a fresh one, as the case may be, and send it to the employer.

**9. Transfer of registration certificate.**—(1) A registration certificate issued under these rules shall not be transferable and if ownership of any shop or establishment is transferred, the employer shall, within thirty days of such transfer, notify the fact of transfer and surrender the certificate of registration to the Inspector of the area and shall submit to the Inspector a statement signed by himself specifying the name and address of the transferee.

(2) The Inspector, on being satisfied about the correctness of the information relating to transfer, shall cancel the certificate of registration and amend the register of establishments accordingly.

(3) The transferee shall apply for new registration certificate within thirty days from the date of transfer.

#### Proof of Age

**10. Ascertainment of age by the Inspector.**—An Inspector may require an employer to produce an authentic extract from the records of any school or from the Registrar of Births, Deaths and Marriages, or in the absent of such extract, at least a certificate which shall be in form VII from a registered Medical Practitioner showing the age of an employee.

#### Health and Safety

**11. Cleanliness and health.**—The premises of every establishment shall be kept clean and healthy as required under section 20 in the following manner:—

(1)(a) In every establishment all the inside walls of the rooms and all the ceilings of such rooms (whether such walls or ceilings be plastered or not) and all the passages and staircases shall be lime-washed or colour-washed at intervals not more than twelve months dating from the time when they were last lime-washed or colour-washed and shall be maintained in a clean state.

(b) All beams, rafters, doors, window-frames and other wood-work with the exception of floors shall be either lime-washed or colour-washed at intervals of not more than twelve months dating from the time when they were last lime-washed or colour-washed or shall be painted or varnished at intervals of not more than four years dating from the time when they were last painted or varnished and shall be maintained in a clean state.

(c) The dates on which lime-washing, colour-washing, painting or varnishing is carried out shall be duly entered in form VIII which shall be shown to Inspector when required.

(d) Nothing in clauses (a) to (c) of this sub-rule shall apply to the following:—

(i) rooms used only for the storage of articles;

(ii) walls or ceilings of rooms which are made of galvanised iron, flat tiles, asbestos sheets, glazed bricks, glass, slate, bamboo thatch, cement plaster or polished chunam;

(iii) ceilings of rooms in which the lowest part is at least 20 feet from the floor;

(iv) any other establishment or part thereof in which lime-washing, colour-washing, painting or varnishing is in the opinion of the Commissioner, unnecessary to satisfy the requirements of section 20 in regard to cleanliness.

(2) Rubbish, filth or debris shall not be allowed to accumulate or to remain on any part of the establishment for more than twenty-four hours and shall be disposed off in the manner approved by the Inspector. All filth and other decomposing matter shall be kept in covered receptacles.

(3) All drains carrying waste or sullage water or sewage shall be constructed of masonry or other impermeable material and shall be regularly flushed at least twice daily and where possible, connected with some recognised drainage line.

(4) The establishment and the compound surrounding it shall be maintained in a strictly sanitary and clean condition. The floors shall be swept or otherwise cleaned at least once daily, and the ceilings shall be dusted at least once a month.

(5) The employer shall enforce the proper use of latrines and urinals and prevent pollution by excreta or urine on the surface of the ground in the vicinity of the latrine or the urinal and in the compound of the establishment. The employer shall make suitable arrangements for the regular cleaning and conserving of the latrines and urinals to the satisfaction of the Inspector.

(6) The employer shall make suitable arrangements to supply cool and wholesome drinking water to employees in the establishment. The area around the place where drinking water is distributed to the employees shall be kept clean and properly drained.

(7)(i) The employer of every 'restaurant' or 'eating house' or 'residential hotel' shall keep his premises clean and comply with the standards of sanitation prescribed by the Health Authorities. The disposal of effluents/garbage/waste shall be done in such a manner that no pollution is caused.

(ii) The kitchen, washing places and other areas shall be kept clean and disinfected by regular scrubbing of floors and cleaning/spraying with approved insecticides.

(iii) The employer of every 'restaurant' or 'eating house' or 'residential hotel' shall provide three sets of uniforms per year to each of their employees. He shall arrange for regular washing of the uniforms once in a week or grant washing allowance as may be specified in this behalf by the Commissioner or as settled by an agreement or settlement between the employer and employees.

(iv) Every employee of a 'restaurant' or 'eating house' or 'residential hotel' shall be medically examined once in every six months and certified fit to work in such establishment by a Certifying Surgeon, if any appointed under the Factories Act, 1948 (Central Act 63 of 1948) or any Medical Officer specified in this behalf by the Government. The expenses for such medical examination, if any, shall be borne by the employer and may be recovered as arrears of land revenue from the employer in case of default.

**12. Precautions against fire.**—(1) The employer of an establishment other than a shop shall provide,

under sub-section (1) of section 22, with adequate means of escape in case of fire and shall also provide buckets of substantial construction full of water or sand and or chemical fire extinguishers in suitable number and at suitable sites according to the nature of work carried on and the size of the premises.

(2) No person shall smoke or use a naked light or cause or permit any such light to be used in the immediate vicinity of any inflammable material in any establishment.

**13. Safety.** — (1) Every dangerous part of a machinery in an establishment other than a shop shall be securely fenced by safety guards of substantial construction which shall be kept in position while the parts of machinery are in motion or in use.

(2) In every establishment other than a shop where manufacturing process is carried on with the aid of electric power, suitable devices for cutting off power in emergencies from running machinery shall be provided and maintained.

(3) No employee, with loose fitting clothes on, shall be allowed or made to work near the moving machinery or belt and the tight fitting clothes for the purpose to such employee shall be provided by the employer.

**14. First aid appliances.** — In every establishment other than a shop a first aid box shall be maintained containing the following equipment together with a book of instructions:—

- (i) 3 small sterilized dressings;
- (ii) 2 medium size sterilized dressings;
- (iii) 2 large size sterilized dressings;
- (iv) 2 large size sterilized burn dressings;
- (v) 2 ( $\frac{1}{2}$  oz.) packets sterilized cotton-wool;
- (vi) 1 pair of dressing scissors;
- (vii) 1 (1 oz.) bottle containing solution for iodine or mercurichrom;
- (viii) 1 (1 oz.) bottle containing solution of sal volatile having the dose and mode of administration indicated on the label;
- (ix) 1 (1 oz.) bottle containing potassium permanganate crystals;
- (x) any ointment/cream for burns.

#### Wages

**15. Overtime working.** — (1) An employer may require an adult employee to work overtime subject to the conditions laid down in section 11(2) for any of the following purposes:—

- (a) Seasonal pressure of work;
- (b) Work in pursuance of any custom or usage observed in the establishment;
- (c) Temporary increase in work due to absence of any other employee or any other emergency;
- (d) Treating of material liable to deterioration, if not treated immediately;
- (e) Work necessitated as a result of any order from Court or any Government authority;
- (f) Stock-taking and preparation of accounts.

(2) Previous intimation in respect of requiring adult employees to work overtime in establishment

under sub-section (3) of section 11 shall contain the following information:—

(a) the purpose of overtime;

(b) date or dates and the probable time or period for which overtime is proposed to be worked;

(c) number of employees required to work overtime.

**Explanation.** — For the purpose of this sub-rule, previous intimation to be given to the Inspector, shall be by serving a notice at the office of the Inspector so as to reach him at least three days prior to the date of requiring employees to work overtime.

#### 16. Manner of calculating ordinary rate of wages.

— For the purpose of the explanation to section 29 ordinary rate of wages per hour shall be calculated by dividing the total wages payable to a person employed for the hours actually worked by him during the wage period by the number of such hours in the wage period:

Provided that hours worked by a person employed in excess of the normal daily hours during the wage period shall be excluded in calculating the number of hours actually worked by him.

#### 17. Fines and deductions for damage or loss.

(1) (a) The Commissioner shall be the authority competent to approve, under sub-section (1) of section 33, the acts and omissions in respect of which fines may be imposed and to approve under sub-section (8) of section 33, the purposes to which the fines realized shall be applied.

(b) Every employer requiring the power to impose fines in respect of any acts and omissions on the part of employees shall send to the Commissioner—

(i) a list, in English and in Marathi or Konkani (in Roman as well as Devnagiri scripts) in duplicate, clearly defining such acts and omissions; and

(ii) a list showing the purpose to which the fines realized shall be applied.

(c) The Commissioner may, on receipt of the list prescribed in sub-clause (i) or sub-clause (ii) of clause (b) after such inquiry as he considers necessary, pass orders either—

(i) disapproving the list; or

(ii) approving the list either in its original form or as amended by him in which case such list shall be considered to be an approved list:

Provided that no order disapproving or amending any list shall be passed unless the employer has been given an opportunity of showing cause orally or in writing against such order.

(d) The employer shall display at or near the main entrance of the establishment a copy in English and in Marathi or Konkani (both in Roman and Devnagiri scripts) of the list approved under clause (c).

(e) No fine shall be imposed by any person other than an employer.

(2) Any person desiring to impose fine on an employee or to make a deduction from his wages for damage or loss shall explain personally to the said person the act or omission, or damage or loss, in respect of which the fine or deduction is proposed to be imposed and shall hear his explanation. The

charge in respect of which it is proposed to impose the fine or deduction and explanation of the person concerned shall be reduced to writing, the signature of such person being obtained to the latter.

(3) (a) The employer of any establishment in respect of which he has obtained approval under sub-section (1) of section 33 to a list of acts and omissions in respect of which fines may be imposed, shall maintain a register of fines in form IX.

(b) At the beginning of the register of fines, the approved purpose or purposes on which the fines are to be expended shall be entered and serially numbered.

(c) When any disbursements are made from the fines realized a deduct entry of the amount so expended shall be made in the register of fines. The vouchers or receipts in respect of the amounts so expended shall be serially numbered and kept separately, the serial number of each voucher or receipt and the amount to which it relates being noted in the remarks column of the register. If more than one purpose has been approved, the entry of the disbursements shall also indicate the purpose for which it is made.

(4) In every establishment in which deductions for damage or loss are made, the employer shall maintain the register required by sub-section (2) of section 35 in form X.

(5) Where no deduction or fine has been imposed during any wage period, a 'nil' entry shall be made across the body of the register at the end of the wage period indicating also in precise terms the wage period to which the 'nil' relates, in the respective registers maintained in forms IX and X.

**18. Deductions for breach of contract.** — (1) No deduction for breach of contract shall be made from the wages of an employee who is under the age of eighteen years.

(2) No deduction for breach of contract shall be made from the wages of any employee unless —

(a) there is provision in writing, forming part of the terms of the contract of employment, requiring the employee to give notice of the termination of such employment and the period of notice does not exceed either:

(i) fifteen days or the wage-period, whichever is less;

(ii) the period of notice which the employer is required to give of the termination of that employment;

(b) this rule has been displayed in English and in Marathi or Konkani (in Roman and Devnagiri scripts) at or near the main entrance of the establishment and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made; and

(c) a notice has been displayed at or near the main entrance of the establishment giving the names of the persons from whose wages the deduction is proposed to be made, the number of day's wages to be deducted and the conditions, if any, on which the deduction will be remitted:

Provided that where the deduction is proposed to be made from all the employees in any departments

or sections of the establishments it shall be sufficient in lieu of giving the names of the persons in such departments or sections, to specify the departments or sections affected.

(3) No deduction for breach of contract shall exceed the wages of the person employed, for the period by which the notice of termination of service given falls short of the period of such notice required by the contract of employment.

(4) If any conditions have been specified in the notice displayed under clause (c) of sub-rule (2), no deduction for breach of contract shall be made from the wages of any person who has complied with those conditions.

**19. Advances.** — Advances under clause (b) of section 37 shall be subject to the following conditions, namely —

(1) An advance of wages not already earned shall not, without the previous permission of the Inspector having jurisdiction, exceed an amount equivalent to the wages earned by the employees during the preceding two calendar months, or if he has not been employed for that period, twice the wages he is likely to earn during the subsequent calendar month;

(2) Any advance may be recovered in instalments by deductions from wages, spread over, not more than twelve months;

(3) No instalment by which an advance is repaid shall exceed one-third, or where the wages for any wage period are not more than twenty rupees, one-fourth of the wages for any wage-period in respect of which the deduction is made;

(4) The amounts of all advances and all payments of such advances, shall be entered in a register of advances in form XI.

**20. Conditions for deductions.** — (1) The total amount of deductions which may be made under sub-section (2) of section 32 of the Act and the above rules in any wage period from the wages of an employee shall not exceed —

(1) in cases where such deductions wholly or partly made for payments to Co-operative Societies under clause (j) of sub-section (2), seventy five percent of such wages, and (ii) in any other case, fifty percent of such wages:

Provided that where the total deductions authorised under sub-section (2) exceed seventy five percent or as the case may be, fifty percent of the wages, the same may be recovered in such manner as may be approved by the Commissioner.

(2) No deductions shall be made from the wages of an employee even the written authorisation of the employee under clause (k) of sub-section (2) of section 32 of the Act except for purposes approved in this behalf by the Commissioner.

(3) Nothing contained in this rule shall be construed as precluding the employer from recovering from the wages of the employee any amount payable by such person under any law for the time being in force.

**Leave**

**21. Earned leave.**—(1) Earned leave may not be refused ordinarily by the employer except for valid reasons:

Provided further no such refusal will deprive the employee the right to carry over the accumulated earned leave.

(2) *Casual and sick leave.*—(a) (i) Ordinarily, the previous permission of the employer for casual leave shall be obtained by the employee, but when this is not possible, the employer shall be informed in writing as soon as practicable for the grant of such leave. The employer shall record his orders on all such applications and shall retain them till the 31st March of the following year.

(ii) An employer however, may refuse an application for casual leave from an employee on grounds of exceptional pressure of work requiring his attendance on the day or days in respect of which casual leave has been asked for:

Provided that leave shall not be refused where it has been asked for on account of an accident, causing physical injury to the employee or death in the family or sickness of the employee, his wife or child.

(iii) Where an application for casual leave is refused by the employer under clause (ii) above, the employer shall record his reasons for refusal on the application, and shall grant equivalent leave on demand by the employee in the same calendar year.

(b) (i) No application from an employee for sickness leave shall be refused but if in any case, employer is not satisfied about the correctness of the assertion set out therein, the employer may either (i) require the employee to submit a medical certificate in respect thereof from a registered medical practitioner or (ii) get the employee or the wife or the child or dependant of the employee, as the case may be, examined at his (employer's) own expense by a registered medical practitioner (lady doctor in case of females) for the purpose of verifying the facts mentioned in the leave application and may grant or reject the application on the basis of the certificate of such medical practitioner.

(ii) Every such medical certificate shall be retained by the employer till 31st March of the following year.

(3) *Register of leave.*—Every employer shall maintain a register in form XII for the leave granted under section 23 to persons employed in his establishment.

(4) *Leave book.*—The employer or manager shall provide each employee with a book called "Leave Book" in form XIII. The book shall be the property of the employee and the employer or his manager shall not demand it except to make entries therein and shall not keep it for more than a week at a time.

(5) *Members of one family to be allowed leave on the same date.*—As far as circumstances permit, employees who are members of the same family shall be allowed leave on the same date.

(6) *Exchange of leave between employees.*—Any employee may with the approval of the employer exchange the period of his leave with another employee.

(7) *Maternity leave.*—The record of maternity leave granted shall be shown in leave register in form XII and leave book in form XIII.

**Termination of Employment**

**22. Acts and omissions constituting misconduct.**—

(1) For the purposes of sub-section (4) of section 39, the following acts and omissions shall be treated as misconduct on the part of the employees:—

(a) wilful insubordination or disobedience, whether alone or in combination with other, of any lawful and reasonable order of a superior;

(b) resorting to or inciting, abetting or instigating a strike which is illegal according to provisions of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) or any other law in force;

(c) wilful slowing down in performance of work, or abetment, or instigation thereof;

(d) theft, fraud, misappropriation or dishonesty in connection with the employers' business or property;

(e) habitual absence without leave, or unauthorised absence without leave for more than fifteen consecutive days or overstaying the sanctioned leave without sufficient grounds or proper or satisfactory explanation or habitual late attendance;

(f) habitual breach of any law applicable to the establishment or any rules made thereunder;

(g) engaging in trade unauthorised by employer/manager within the premises of the establishment;

(h) commission of any act subversive of discipline or good behaviour on the premises of the establishment such as drunkenness, riotous, disorderly or indecent behaviour or taking or giving bribes or any illegal gratification, other than tips voluntarily given by customers;

(i) habitual neglect of work or gross or habitual negligence of duties;

(j) habitual breach of any rules or instructions for the maintenance and running of any department, or the maintenance of the cleanliness of any portion of the establishment;

(k) frequent repetition of any act or omission for which a fine may be imposed under the Act;

(l) canvassing for union membership or the collection of union dues within the premises of the establishment, without permission of manager or employer, except in accordance with any law, agreement, settlement or award;

(m) wilful damage to work in process or wilful negligence or action causing financial loss or damage to employer's property;

(n) holding meeting within the premises of the establishment without the consent or permission of the employer or manager;

(o) disclosing to any unauthorised person any information in regard to the manufacturing process of the establishment or trade secrets which may come into the possession of the employee in the course of his employment and which may be prejudicial to the interest of the establishment;

(p) gambling within the premises of the establishment.

(2) Every employer shall display or cause to be displayed at or near the main entrance of the establishment, a copy of the list of acts and omissions specified under sub-rule (1) in English and in Marathi or Konkani (in both Roman and Devnagiri scripts). If the establishment consists of several departments, such lists shall be displayed in each department.

**23. Procedure for terminating the services of an employee.**—(1) No employer shall terminate the services of an employee under section 39 unless an enquiry is held against the employee concerned in respect of any alleged misconduct in the manner set forth in sub-rule (2).

(2) An employee against whom an enquiry has to be held shall be given a charge-sheet clearly setting forth the nature and details of misconduct alleged against him and requiring explanation. He shall be given an opportunity to answer the charge and permitted to be defended by another workmen of the establishment or an office bearer of the Union to which he belongs. He shall also be permitted to produce witnesses in his defence and cross-examine any witness on whose evidence the charge rests. A concise summary of the evidence led on either side and the employee's plea shall be recorded in a register to be maintained for this purpose.

(3) In awarding punishment under this rule, the employer shall take into account the gravity of the misconduct, the previous record, if any, of the employee and any other extenuating or aggravating circumstances that may exist. A copy of the order passed by the employer shall be supplied to the workman concerned.

**24. Appeals under the section 40.**—(1) The Commissioner shall be the appellate authority for the purpose of hearing appeals under sub-section (1) of section 40 and any such appeal shall be preferred by the employee in form XIV within sixty days from the date of service of the order terminating his services with the employer, such service to be deemed effective if carried out either personally or if that be not practicable by prepaid registered post to his last known address when the date of such service shall be deemed to be the date when the letter would arrive in ordinary course of post.

Provided the period of 60 days specified above is not a bar if the appeal is preferred with sufficient reasons to the entire satisfaction of the appellate authority.

(2) The procedure to be followed by the Commissioner for hearing appeals preferred to him under sub-section (1) of section 40 shall be summary. He shall record briefly the evidence adduced before him and then pass orders giving his reasons therefor. The result of the appeal shall be communicated to the parties as soon as possible. Copies of the orders shall also be furnished to the parties if required by them. The copies shall be on stamped papers to be furnished by the parties. For the purposes of this rule, the fee to be levied shall be as specified in schedule C.

(3) **Powers of authority appointed under section 40.**—The Commissioner while hearing appeals under this rule shall have all the powers of a Civil Court under the Code of Civil Procedure, 1908 (Central

Act 5 of 1908) for the purpose of taking evidence and of enforcing the attendance of witnesses and compelling the production of documents, and he shall be deemed to be a Civil Court for the purposes of section 195 and of Chapter XXXV of the Code of Criminal Procedure, 1898 (Central Act 5 of 1898).

#### Recovery of Claims

**25. Application for payment of wages or gratuity etc.**—An application under section 43 or sub-section (2) of section 44 by or on behalf of an employee or dependant in case of deceased employee or group of employees, shall be made in duplicate in form XV or form XVI as the case may be, one copy of which shall be affixed with a court fee stamp of the denomination specified in schedule C.

**26. Authorisation.**—The authorisation to act on behalf of an employee or employees under section 43 or sub-section (2) or section 44, shall be given in form XVII by an instrument which shall be presented to the authority hearing the application and shall form part of the record.

**27. Procedure for dealing with application for recovery of wages or gratuity etc.**—(1) Any person desiring to act on behalf of any employee shall present to the authority appointed under section 42 of the Act a brief written statement explaining his interest in the matter and praying for permission so to act, and the authority shall record thereon an order specifying, in the case of a refusal to grant the permission prayed for, the reasons for the refusal.

(2) Applications under rule 25 or other documents relevant to such applications shall be presented in person to the authority appointed under section 42 of the Act at any time during hours to be fixed by the authority or shall be sent to the authority by registered post, and the authority shall at once endorse or cause to be endorsed on each such application or other document the date of presentation or receipt thereof, as the case may be.

(3) On receipt of an application the authority shall by issuing a notice in form XVIII call upon the applicant as well as the employer, as the case may be, to appear before him on a specified date together with all relevant documents and witnesses, if any.

(4) If the employer fails to appear on the specified date, the authority may proceed to hear and determine the application ex parte.

(5) If the applicant fails to appear on the specified date, the authority may dismiss the application:

Provided that an order passed under sub-rule (4) or sub-rule (5) may be set aside on sufficient cause being shown by the defaulting party within 30 days of the date of the said order and the application shall then be reheard after service of notice on the opposite party of the date fixed for rehearing in the manner specified in sub-rule (3).

**28. Costs.**—(1) The authority appointed under sections 40 or 42 of the Act, for reasons to be recorded in writing, may direct that the costs of any

proceeding pending before it shall not follow the event.

(2) The cost which may be awarded, shall include:—

- (i) expenses incurred on account of court fees;
- (ii) expenses incurred on subsistence money to witnesses;
- (iii) pleader's fees to the extent of twenty five rupees provided that the authority, in any proceedings, may reduce the fees to a sum not less than ten rupees or for reasons to be recorded in writing, increase it to a sum not exceeding fifty rupees.

(3) Where there are more than one pleader or more than one applicant or opponents the authority may, subject as aforesaid, award to the successful party or parties such costs as it may deem proper.

(4) The authority may fix the fees on the payment of which any person entitled to do so may obtain copies of any document filed with such authority:

Provided that such authority may in consideration of the poverty of the applicant, grant copies free of cost.

**29. Court fees.**—The Court fee payable in respect of proceedings shall be as prescribed in schedule C.

#### Inspectors

**30. Appointment of Inspectors.**—(1) No person shall be appointed to be an Inspector under the Act, or having been so appointed, shall continue to hold office, if he has or acquires, directly or indirectly by himself or by any partner, any share or interest in any establishment to which the Act applies in the area for which he is to be or has been appointed:

Provided that nothing in this sub-rule shall apply—

(i) to any person who has been permitted by the Authority competent to appoint him as Inspector to hold or acquire directly or indirectly by himself or in the name of any member of his family living with him or dependent on him, any share or interest in any registered Co-operative Bank or Co-operative Society or in any public limited company, or

(ii) to any person who acquires by inheritance any share or interest in any firm or business but who is not a working partner therein.

(2) Every Inspector shall by the end of January, each year furnish a declaration regarding his interest directly or indirectly in any establishment to which the Act applies.

(3) No Inspector shall be posted in any area where any establishment, in which he has any interest, is situated.

(4) The Inspector shall make such inspection under section 50(b) as may appear to him to be necessary for the purpose of satisfying himself that the provisions of the Act and the rules and any orders issued by the Government under the Act are

duly observed. In particular, he shall satisfy himself—

- (i) that the establishments are duly registered under the Act;
- (ii) that the registers, records and notices required to be maintained or displayed under the Act or these rules are properly maintained or displayed;
- (iii) that the intervals of rest and holidays required to be granted or observed under the Act are granted and observed and that the limit of hours of work and spread-over laid down under the Act are not exceeded;
- (iv) that the provisions of the Act and any orders issued by the Government regarding the opening and closing hours are duly observed;
- (v) every employee in an establishment is furnished with a letter of appointment as required under sub-section (5) of section 57;
- (vi) that the provisions of the Act and rules regarding leave, holidays with wages and maternity benefits are properly observed;
- (vii) that the provisions of the Act and the rules relating to cleanliness, ventilation, precautions against fire and safety of employees are properly observed;
- (viii) that the provisions of the Act and rules relating to the payment for overtime work are duly observed; and
- (ix) that no child is allowed to work in any establishment.

(5) For carrying out such inspection, the Inspector may interrogate such persons in the premises, as he may deem necessary:

Provided that no such person shall be required under this rule, to answer any question the answer to which might tend to incriminate him.

(6) *Diary.*—The Inspector shall keep a file of the records of his inspections arranged suitably and shall submit to the Commissioner a diary in form XIX showing work done under the Act and these rules in the preceding month, retaining a copy of the same with him.

#### Registers and Records

**31. Maintenance of registers and records and display of notices.**—Every employer shall maintain the following registers and records and display notices under section 57 in the following manner in addition to those prescribed elsewhere under these rules:—

(1) Every employer shall maintain a register of employment in form XX or in form XXI where opening and closing hours are uniform and display notice of hours of work of employees in form XXII.

(2) A register of wages shall be maintained in every establishment and shall be kept in form XXIII which shall include the following particulars:—

- (a) Rate of wages payable to an employee;
- (b) Overtime wages paid to an employee;
- (c) The gross wages earned by each employee for each wage period;

(d) The total of all deductions made from those wages;

(e) The wages actually paid to each employee for each wage period;

(f) Signature or thumb impression of an employee.

(3) (a) *Intimation regarding close day.* — Every employer of a shop (or an establishment intending to close/observe weekly holiday) shall notify to the Inspector regarding the choice of close day or change thereof in form XXIV and display the notice in form XXV after obtaining signature of the Inspector. This notice shall be displayed in a prominent place in every premises of the shop/establishment.

(b) Every employer of an establishment other than a shop shall exhibit in his establishment a notice in form XXVI specifying the day or days of the week on which the employees shall be given a holiday. The notice shall be exhibited before the persons to whom it relates cease work on the Saturday immediately preceding the first week during which it is to have effect.

(4) Every employer shall exhibit in his establishment a notice containing such extracts of the Act and rules in English and in Marathi or Konkani (in both Roman and Devnagiri scripts) as notified in this behalf by Government in the Gazette.

(5) Any notice required to be exhibited under these rules shall be exhibited in such manner that it can be readily seen and read by any person whom it affects and shall be renewed whenever it becomes defaced or otherwise cease to be clearly legible.

(6) Every employer of a residential hotel or restaurant or eating house or theatre or any place of public amusement or entertainment shall maintain a register in form XXVII showing the compensatory holidays allowed to employees deprived of notified holidays as per sub-section (1) of section 24.

(7) Every employer of an establishment allowing more number of holidays than notified by Government under sub-section (1) of section 24, shall send a list of holidays to the Inspector of the area and shall also display such list in form XXVIII.

(8) In any register or record which an employer is required to maintain under these rules, the entries relating to any day, shall be made on the same day and shall be authenticated under the signature of the employer or the manager on the same day. The entries relating to overtime work shall be made before the commencement and immediately after completion of such overtime work.

(9) The registers, records and notices relating to any calendar year shall be preserved for a period of three years after the last entry is made therein.

(10) Save as otherwise provided in sub-rule (4), all registers, records and notices required to be maintained, exhibited, shall be either in English or in Marathi or Konkani (in both Roman and Devnagiri scripts).

(11) Every register required to be maintained under these rules shall be duly bound and its pages duly numbered.

(12) (a) Every employer shall maintain a visit book in which an Inspector visiting the establishment may record his remarks regarding any defects that may come to light at the time of his visit or give directions regarding production of any documents required to be maintained or produced under the provisions of the Act and the rules.

(b) The visit book shall be a bound book more or less of size 21×18 cms. containing at least 100 pages.

(c) The covering page of the visit book shall containin the following particulars: —

- (i) Name of the employer.
- (ii) Name of the shop or establishment.
- (iii) Address.
- (iv) Registration number.
- (v) Residential addresses of the employer(s) and manager(s).

(d) In case the visit book containing remarks passed by the Inspector is lost, destroyed or daced the employer of the establishment shall report the fact forthwith in writing to the Inspector of the area and immediately arrange to maintain a new visit book.

(e) The visit book shall be in the custody of the employer or any person duly authorised by him and shall be kept always in the business premises of the establishment and shall be produced on demand by the Inspector. For the purpose of this sub-rule, employer of any establishment includes an owner of an establishment without employees.

(13) Where an office, sore-room, godown, warehouse or work-place used in connection with the trade and business of a shop is situated at premises other than the premises of the shop, all registers, records, visit book and notices required to be maintained, exhibited or given under the Act and the rules shall be separately so maintained, exhibited or given in respect of and at such office, store-room, godown, warehouse or work-place.

(14) No employer with intent to deceive shall make or cause or allow to be made, in any register, record or notice prescribed to be maintained under the provisions of the Act or the rules, an entry which is false in any material particular, or wilfully omits or causes or allows to be omitted, from any such registers, record or notice, an entry which is required to be made therein, under the provisions of the Act and rules, or shall maintain or cause or allow to be maintained, more than one set of any register, record or notice.

**32. Admissibility of forms other than those prescribed in the rules.** — If, on an application made by an employer or manager in writing, the Commissioner is satisfied that any muster roll, register or record maintained by the employer or manager gives in respect of all or any of the employees in his establishments the particulars required to be shown in any register, record or notice prescribed under these rules, the Commissioner may by order in writing direct that such muster roll, register or record shall

to the corresponding extent be maintained in place of such register, record or notice, prescribed under this rule as the case may be.

**33. Period for supplying information required by Inspector.** — Any information or document required by the Inspector for carrying out the purposes of the Act and the rules shall be furnished to him by the employer of an establishment within one week from the date of receipt of such requisition by the employer.

**34. Periodical returns.** — Every employer having five or more employees shall send a return in form XXIX for month ending 31st March, 30th June, 30th September and 31st December of every year so as to reach the Inspector within whose jurisdiction the establishment is situated not later than 10th of the following month to which the return relates, endorsing a copy thereof to the Commissioner.

**35. Letter of appointment.** — Every employer shall furnish to all employees with letters of appointment in form XXX under sub-section (5) of section 57 and obtain acknowledgement in token of having served the said letter.

**36. Authority to decide certain questions.** — (1) The Commissioner shall be the authority for purposes of deciding matters specified in sub-section (7) of section 3 and section 62 of the Act. Before giving any decision, he shall hear the concerned parties or give them an opportunity of being heard.

(2) For the purposes of section 43(1) the prescribed authority shall be the Commissioner.

**37. Penalty.** — Any person who contravenes any of the provisions of the rules shall, on conviction, be punishable with fine which may extend to fifty rupees.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour.

Panaji, 10th December, 1974.

#### SCHEDULE A

The Statement in Form I shall be sent to the Inspector together with the fees prescribed in this schedule:

Sr. No.	Categories of Establishments	Reg. fee
1.	Shop/Establishment employing no persons	Rs. 5/-
2.	Shop/Establishment employing 5 or less than five persons	Rs. 10/-
3.	Shop/Establishment employing more than 5 but less than 10 persons	Rs. 20/-
4.	Shop/Establishment employing 10 and above but less than 20 persons	Rs. 40/-
5.	Hotels, Restaurants, Residential Hotels, Theatres or other places of Public amusement or entertainment or Shop/Establishment employing 20 or more persons	Rs. 50/-

#### SCHEDULE B

(See Rule 8)

The notice of change in Form VI shall be sent to the Inspector together with fees prescribed as below:

Sr. No.	Categories of Establishments	Fee for any change
1.	Shop/Establishment employing 20 or more persons	Rs. 2/-
2.	Other shops/Establishments	Re. 1/-

#### SCHEDULE C

The amount of fees for the different types of proceedings shall be as set out below:

Sr. No.	Description of proceedings	Amount of fees
1.	Application for (i) preferring an appeal under section 40 and rule 23 (ii) preferring second appeal to Labour Court	Re. 1/- (One rupee) Rs. 2/- (Two rupees)
2.	Application for payment of wages, gratuity, etc. under section 43/44 (i) Individual application (ii) Group application	Re. 1/- (One rupee) Rs. 5/- (Five rupees)
3.	Court fee on instrument showing authorisation	Re. 1/- (One rupee)
4.	Fees for copies of documents	Same fees as levied by Civil Courts from time to time
5.	Application to summon witnesses (i) For the first witness mentioned in the application (ii) For every subsequent witness	Re. 0-50 (fifty-paise) Re. 0-25 (Twenty five paise)
6.	Application for recovery of amounts due	Re. 1/- (One rupee)

#### FORM I

(See rule 3)

#### Statement under Section 3(1)

1. Name of Shop/Establishment, if any;
2. Door No. and Name of the Street and exact location of the Shop/Establishment and postal Address.
3. Exact location of office, store-room, godown, warehouse, or work place, if any, attached to shop but situated in premises different from those of shop/Establishment.
4. Full name of the employer, including his father's name.
5. Residential address of the employer.
6. Full name of Manager, if any, including his father's name, and his residential address.
7. Names of the partners, if any, and their residential addresses (if a partnership concern).
8. Category of establishment, i.e. whether a shop, commercial establishment, residential hotel, restaurant, eating house, theatre, cinema or other place of public amusement or entertainment etc.

9. Nature of business.  
 10. Date of commencement of business.  
 11. Names of members of employer's family engaged in the shop/establishment.

	Relationship	Adults	Young persons
Males			
Females			
Total			

12. Names of other employees:  
 (i) in a managerial capacity.  
 (ii) as sweeper, caretaker and travelling staff.  
 (iii) as persons employed for loading and unloading of goods at godown.

13. Total number of employees:

	Relationship	Adults	Young persons
Males			
Females			
Total			

14. Details of remittances: (Enclose chalan obtained from treasury/State Bank).

Name of the Treasury	Chalan No. and date	Amount of fee paid

I hereby declare that the above information is true to the best of my knowledge and belief.

Signature of employer.

Date:

Note:

- This statement shall be sent to the Inspector concerned with such fees as prescribed in Schedule A.
- Item 3 should be filled only when the office, store room, etc., are not separately registered under the Act. In respect of such store rooms, etc., not separately registered, particulars required under item 11, 12, 13 should be given separately for each office, store room, etc.
- If any item is not applicable enter «Not Applicable».

FORM II

(See Rule 5)

Register of Establishments

Part I — Shops

Part II — Commercial Establishments.

Part III — Residential Hotels, Restaurants, eating house, lodging houses and cafes.

Part IV — Theatres, Cinemas and other places of public entertainments or amusements.

Serial Number	Registration Certificate No. and date of registration	Name of Establishment	Names of partners and their residential addresses	Name of the Manager, if any with residential address	Postal address and exact location of the Establishment	Exact location of office, store room, godown, warehouse or workplace, if any, attached to Establishment but situated in premises different from those of the Establishment	Nature of Business	Date of commencement of business	Adult Men	Number of members of employer's family who are not employees within the meaning of Section 2(7)	Number of other persons occupying position of management drawing Rs. 500/- or average per month	No. of other persons employed such as Travelling Staff etc.	Adult men	Total Number of Employees	Date of Inspection in connection with the registration	Fees Paid Challan No. and Date	Remarks			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21

FORM III

(See Rule 5)

Registration Certificate of Establishment

- Registration Number —
- Name of the Establishment —
- Postal address of Establishment —
- Name of the employer —
- Nature of Business —

It is hereby certified that ... has been registered as ... this day ... of 197 ...

Signature of Inspector

Seal.

Renewals

Date of renewal	From	To	Signature of Inspector with seal

**FORM IV**

(See Rule 6)

**Renewal of Registration Certificate**

Category of Establishment ...

Total No. of Employees ...

Name of Establishment and Postal Address ...

To

The Inspector,

Sir,

As the period of Registration Certificate No. ... originally granted/subsequently renewed to us is to expire/has already expired on ..., I (We) have to request for its renewal. The original certificate is enclosed.

Signature of Employer

Date: ...

Place: ...

**FORM V**

(See Rule 7)

**Notice of Loss of Registration Certificate and Application for Issue of Duplicate Certificate**

Name of the Establishment: — ...

Address: — ...

Registration No.: — ...

To,

The Inspector,

Sir,

This is to inform you that the registration certificate of this establishment has been lost/destroyed/defaced due to ... (here specify the reasons/circumstances). Please issue a duplicate certificate.

Challan No. ...

Date ...

For Rs. ...

is enclosed herewith.

Date: ...

Yours faithfully,

(Signature of Employer)

(1)

(2)

Signature or thumb impression of employee.

Medical Practitioner.

Registration Number.

**FORM VIII**

[See Rule 11(1)(c)]

**Record of Limewashing etc.**

Part of Establishment e.g. name of room	Parts lime/colour washed, painted or varnished e.g. walls, wood work, ceilings, etc.	Treatment (whether lime/colour washed, painted or varnished)	Date on which lime/colour washing, painting or varnishing was carried out (according to English Calendar)			Signature of Employer	Remarks
			Day	Month	Year		
1	2	3	4	5	6		

**FORM VI**

(See Rule 8)

**Notice of Change**

Name of the Establishment already registered: ...

Name of the Employer: ...

Registration Certificate Number: ...

Address: ...

Dated the ... day of ... 197 ...

To,

The Inspector ...

(Under Goa, Daman and Diu Shops and Establishments Act, 1973)

Sir,

Notice is hereby given that the following change has taken place in respect of information forwarded to you in Form I which please note. The registration certificate and challan No. ... dated ... for Rs. ... is enclosed.

Signature of the Employer.

Note: — The Notice of change in this form shall be sent together with such fees as are prescribed in Schedule B.

**FORM VII**

(See Rule 10)

**Certificate of Age**

I hereby certify that I have personally examined (name) ... son/daughter of ... residing at ... and that he has completed his/her twelfth/eighteenth year of age.

Identification/Description marks are: —

**FORM IX**

[See Rule 17(3)(a)]

### **Register of Fines**

Name of the establishment and address:

Registration number:

Sr. No.	Name of the Employees	Father's Name or Husband's Name	Act or omission for which fine imposed	Whether workman showed cause against fine or not and if so, date on which cause was shown	Total Wages for the wage period in which fine imposed	Amount of fine	Date on which fine imposed	Date on which fine realised	Remarks
1	2	3	4	5	6	7	8	9	10

**FORM X**

[See Rule 17(4)]

**Register of deductions for damage or loss caused to the employer by the neglect or default of employees**

Name of the establishment and address:

Registration number:

Sr. No.	Name of Employee	Father's or husband's name	Damage or loss caused	Whether worker showed cause against deduction or not and if so, date on which cause was shown	Amount of deduction imposed	Date on which deduction imposed	Number of instalments, if any	Date on which total amount realised	Remarks
1	2	3	4	5	6	7	8	9	10

**FORM XI**

[See Rule 19(4)]

## **Register of advances to the employees**

Name of the establishment and address:

**Registration number:**

Sr. No.	Name of the Employee	Father's or Husband's name	Amount of advance given	Date on which advance was given	Purpose(s) for which advance was given	No. of instalments by which advance has to be recovered	Postpone-ments granted	Date on which total amount is recovered	Remarks
1	2	3	4	5	6	7	8	9	10



## FORM XIII

Prescribed under rule 21(4)

(Shall be the same as register of leave with wages (form XIII) but shall be made out separately for each worker on a thick bound sheet or in the form of bound note book).

## FORM XIV

[See Rule 24(1)]

Form of Appeal under section 40(1)(b) arising out of termination of services

Before the Commissioner ...

Appeal No. ... 197

Shri ...

Appellant  
(Employee)

V/s

S/Shri ...

Respondent  
(Employer)

The Appellant states as follows: —

1. I, ..., son/wife of ... was employed as ... in the service of S/Shri ..., Employer in his establishment known as ... from (date) ...
2. The address of appellant for service of all notices is as follows: ....
3. The address of Respondent (Employer) for service of all notices is as follows: ....
4. The respondent (Employer) has without a reasonable cause and for no misconduct or fault of the appellant has terminated the services of the appellant with effect from ... or served a notice dated ... to terminate the services with effect from ....
5. The respondent has terminated services of the appellant /transferred establishment to new Employer, S/Shri ... without giving (i) one month's notice in writing or wages in lieu thereof and (ii) gratuity amounting to Rs. ... (Rupees ...) as the appellant has put in a service of ... years and ... months (From date ... to date ...). Hence, appellant is entitled to receive in addition wages for 2 months amounting to Rs. ... (Rupees ...) in terms of sub-section (2) of section 39.
6. The services of appellant have been terminated wrongfully as he has not committed any acts or omissions prescribed in rule 21/ as the Employer has not followed the procedure laid down in rule 22/ as the punishment imposed is disproportionate to the misconduct, if any, committed, etc., etc., (attach detailed grounds with copies of documents, if any).
7. The appellant has retired/resigned for reasons stated below on date: .... But gratuity is amounting to Rs. ... (Rupees ...) based on service of ... years ... months (from date ... to date ...). Hence, appellant is entitled to receive in addition wages for 2 months amounting to Rs. ... (Rupees ...) in terms of sub-section (3) of section 39.
8. The wages of appellant is estimated to be Rs. ... (Rupees ...) per month.
9. Hence, the appellant prays that a direction may be issued to the Respondent (Employer) under sub-section (2) of section 40 for:
  - (a) reinstatement of appellant in services of Employer.
  - (b) payment of full wages from the date of termination till the date of reinstatement.
  - (c) payment wages in lieu of notices amounting to Rs. ....
  - (d) payment of gratuity amounting to Rs. ....
  - (e) payment of additional wages amounting to Rs. ....

- (f) payment of compensation amounting to Rs. ....
- (g) payment of costs as follows:—
  - (i) Court fees amounting to Rs. ....
  - (ii) witness expenditure Rs. ....
  - (iii) Pleader's fees Rs. ....
- (h) Any other relief as the authority deems fit.

The total relief claimed above amounts to Rs. ... (Rs. ....).

The appellant hereby certifies that the statement of facts contained in this plaint is true to the best of his knowledge and belief.

The appellant craves leave to add to or amend this plaint.

Signature or thumb impression  
of Appellant (Employee)

Date: ...

## FORM XV

[See Rule 25]

## Application for payment of wages etc.

In the Court of the Authority appointed under section 42 of the Goa, Daman and Diu Shops and Establishments Act, 1973.

Application No. ... of ... 19

Between A. B. C. ... Applicant  
(through Shri ... a legal practitioner and official of ... which is a registered trade Union).

And

X. Y. Z.

Opposite Party

The applicant(s) state(s) as follows:

1. A. B. C. is a (are) persons employed in ... establishment entitled ... and reside(s) at ...

The address of the applicant(s) for the services of all notices and processes is:

2. X. Y. Z. ... the opposite party is the person responsible for the payment of his (their) wages under the Act, and his (their) address for the service of all notices and process is:

3. (a) The applicant's wages have not been paid for the following wage period(s) (give date) ... or a sum of Rs. ... has been unlawfully deducted from his wages of ... (amount) for the wage period(s) which ended on (Give date/dates) ...

(b) (here give any further claim or explanation).

4. The applicant(s) estimate(s) the value of the relief sought by him (them) at the sum of rupees ...

5. The applicant(s) pray(s) that a direction may be issued under said Act for:

(a) payment of his (their) delayed wages or gratuity as estimated or such greater or lesser amount as authority may find to be due or refund of the amount illegally deducted.

(b) Compensation amounting to ...

(c) Costs amounting to:—

The applicant(s) certify(ies) that the statement of facts contained in his application is true to the best of his knowledge and belief.

Signature or thumb impression of the employee(s) or legal Practitioner or Official of a registered trade union duly authorised.

Note:— When the application is by a group of employees the thumb impressions or signatures of two of the applicants need be put to the application and a full list of applicants should be attached.

**FORM XVI**  
(See Rule 25)

**Form of application by an inspector or person permitted  
by the authority or authorised to act**

In the Court of the Authority appointed under Section 42  
of the Goa, Daman and Diu Shops and Establishments  
Act, 1973.

Application No. ... of 197

Between

A. B. C. (Designation) ... An Inspector under the (Shops and Establishment Act, 1973 or a person permitted by the Authority /authorised to act under section 43) — Applicant.

And

X. Y. Z.

The Opposite Party

The applicant states as follows:

1. X. Y. Z. the opposite party, is the person responsible under the Act for the payment of ... of wages to the following person(s).

- (1)
- (2)
- (3)
- (4)
- (5)

2. His address for the service of all notices and processes is:

3. The wages of the said person(s) due in respect of the following wages period(s), have not been paid/have been subjected to the following illegal deductions:

4. The applicant estimates the value of the relief sought for the employee(s) at the sum of Rs. ...

5. The applicant prays that a direction may be issued under the said Act for:

6. Payment of the delayed wages as estimated or such greater or lesser amount as the Authority may find to be due.

- (a) refund of the amount illegally deducted
- (b) Compensation amounting to:
- (c) Cost amounting to:

The applicant certifies that the statement of facts contained in this application is true to the best of his knowledge and belief.

Date:

Signature

I/We hereby authorise Shri ... a legal practitioner, an official of the registered Trade Union of ... to appear and act on my/our behalf in the above described proceedings and to do all things incidental to such appearing and acting.

Signature or thumb impression  
of employees

Witnesses: (1)

(2)

I accept the authorisation

Signature:

Address:

**FORM XVIII**

[See sub-rule (3) of rule 27]

**Notice for the disposal of application**

To

Whereas under Goa, Daman and Diu Shops and Establishments Act, 1973, a claim has been presented to me/by/against you by an application (copy enclosed) you are hereby called upon to appear before me either personally or through a duly authorised person in this behalf, for the purpose of answering all material questions relating to the application on the ... day of ... 19 ... at ... O'clock in the fore/after-noon in support of/to answer the claim and as the day fixed for your appearance is appointed for final disposal of the application, you must be prepared to produce on what day all the witnesses upon whose evidence, and the documents upon which you intend to rely in support of your claim/defence.

Take notice that in default of your appearance on the ... day before mentioned, the application will be dismissed/heard and determined in your absence/ex parte.

Given under hand and seal, this ... day of ... 19...

Signature of Authority

Seal

**FORM XIX**

[See Rule 30(6)]

**Monthly Diary of Inspector for the month ending ... 197...**

Date	Place	Establishments Inspected	Purpose of Inspection	Remarks of defects found and directions and orders issued
1	2	3	4	5

Signature of Inspector

Submitted to Commissioner,  
Labour and Employment, Panaji.

**FORM XVII**

(See Rule 26)

**Letter of authorisation**

In the Court of the Authority appointed under Section 42 of the Goa, Daman and Diu Shops and Establishments Act, 1973.

Application No. ... of 197

- 1.
- 2.
- 3.

Versus

- 1. *to appear to examine*
- 2. *to file*
- 3. *to*

**FORM XX**

[See Rule 31(1)]

**Register of Employment**

1. Year and Month.
2. Name and Address of the Establishment:
3. Name and Address of the Employer:
4. Registration Number of the Establishment:
5. Name of Employee:

6. Father's or Husband's name: ...  
 7. Age: ...  
 8. Nature of work: ...  
 9. Date of Appointment: ...

Date	Time at which employment commences	Time at which employment ceases	Spread Over	Rest Interval			Total Working hours	Over Time worked			Total overtime worked for the week/month/quarter			Remarks
				From	To	Total		From	To	Total	Week	Month	Quarter	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1st														
2nd														
3rd														
4th														
5th														
etc.														
upto														
31st														

Note: Mark 'H' shall be made to any day on which holiday is given in accordance with the notice referred to in sub-rule (3) of Rule 31.

### FORM XXI

[See Rule 31(1)]

#### Register of Employment

Name of Establishment and address: ...

Registration Number: ...

Name of Employer and address: ...

Working Hours	From ... to ...	From ... to ...	From ... to ...
	From ... to ...		
Rest Interval			

Sr. No.	Name of employee	Father's/ Husband's name	Age	Nature of work or designation	Date of Appointment	Hours worked during wage period ending	Total hours worked		Remarks
							Normal	Overtime	
1	2	3	4	5	6	123456789.....31	8	9	10

Note: — Mark 'H' shall be made on any day on which holiday is given.

### FORM XXII

[See Rule 31(1)]

#### Notice of hours of work commencing ... 19...

Name of Employer and

Description of Department

Establishment: ...

Name of persons employed	Whether young persons or not	Day		
		Employment to commence	Intervals for meals & rest	Employment to cease
1.				
2.				
3.				

Note: — (1) The hours above shall be exclusive of overtime.

(2) Actual times to be noted in col. 4.

(Information required regarding hours of work, intervals for meals and rest, etc., to be supplied by the employer)

Signature of employer

Dated:

## FORM XXIII

[See Rule 31(2)]

## Register of wages

Name of Establishment ...

Name of Employer and address ...

Registration No. ...

Wage Period ...

Sr. No.	Name of the Employee	Father's/Husband's name	Designation	Minimum rate of wages payable		Wages Payable			Deductions			Net amount of wages paid	Signature or thumb impression of Employee	Date of Payment			
				Basic	Dearness Allowance	Basic Salary or Wage	Dearness Allowance	Other Allowances	Gross wages payable	Advances	Provident Fund Contribution	Other authorised deductions					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

Signature of Employer

## FORM XXIV

[See Rule 31(3)(a)]

## Notice of close day or a change in close day

Name of Shop/Establishment and address: ... Registration No. ...

Notice is hereby given that with effect from (date) ... the Shop/Establishment shall observe ... day as close day every week. It shall be the weekly holiday for all Employees.

Signature of employer

To:

Inspector under the Goa, Daman and Diu Shops and Establishments Act, 1973.

following the date of this notice and every week until further notice.

Sl. No.	Name of the Employee	Day on which holiday is allowed	Remarks
1	2	3	4

Date:

Signature of employer

## FORM XXV

[See Rule 31(3)(a)]

## Notice of Shop/Establishment

## Close Day

Name and address of Shop/Establishment: ...

This is to notify that our Shop/Establishment shall remain closed in every week on

## DAY

Approved  
Inspector

Signature of employer

## FORM XXVI

[See Rule 31(3b)]

## Notice of weekly holiday

Name and address of Establishment ... Registration Number: ...

The person(s) employed in this Establishment shall be given a holiday on the day specified below in the week

## FORM XXVII

[Prescribed under sub-rule (6) of rule 31]

## Register for compensatory holidays

Name of the Establishment:

Registration No. ...

Address:

Sr. No.	Name of the Employee	Designation	Holiday on which worker and date	Date of compensatory hc holiday given	Total compensatory days granted in the year so far	Remarks
1	2	3	4	5	6	7

**FORM XXVIII**  
**[See sub-rule (7) of rule 31]**

**List of holidays with wages for the year ending ...**

Name of the Establishment: Registration No. ...

Address:

Sr. No.	Name of the holiday	Date	Remarks
1	2	3	4

Signature of the employer

To

The Inspector  
 Goa, Daman and Diu,  
 Shops and Establishments  
 Act, 1973.

**FORM XXIX**  
**(See Rule 34)**

**Return for the month of March/June/September/December**

1. Name and address of the Establishment.
2. Name and address of the Employer.
3. Category of the establishment \*\*\*
4. Number of days worked during the month.
5. Normal working hours.
6. Rest intervals: Hours.
7. No. of employees and their earnings.

Men, women and young persons	No. in employment at the end of the month	No. of man days worked during the month	Emoluments paid in cash before deductions	Money value of concession in kind	Ex-gratia cash payments, adhoc bonus, etc.	Contributions by employer to social security funds	No. of unpaid helpers
1	2	3	4	5	6	7	8

\*\*\* Whether the establishment is a (i) Shop, (ii) Commercial Establishment.

(iii) Restaurant, Eating House or Hotel, (iv) Theatre or a place of public entertainment or (v) other type should be mentioned here.

C. C. to Commissioner.

**FORM XXX**  
**(See Rule 35)**

**Letter of appointment**

Name and address of the Establishment.

Name and address of the employer.

Registration Number.

Shri/Srimati/Kumari ... son/wife/daughter of ... aged (date of birth) ... is appointed as \* in this establishment, with effect on and from ... in the scale of pay Rs. ...

2. His/her scale of pay/rate of increment in wages per ... shall be

3. He/she will draw a total of Rs. ... per day/week/month composed of the following, namely:—

- i. Basic pay of
- ii. Dearness Allowance
- iii. Other allowances

Signature of employer

To

Shri/Smt./Kumari §

Note: Strike out the words which are not applicable.

\* Describe nature of appointment, designation, etc.

† Insert period.

§ Enter full address of the employee.



Urban Development Department

**Notification**

5-8-74-UDD

The Goa, Daman and Diu Housing Board, in exercise of the powers conferred under Sections 12, 13, 14, 15, 16, 129 of the Goa, Daman and Diu Housing Board Act 1968 hereby makes the following regulations called the Goa, Daman and Diu Housing Board Cadre, recruitment of staff, functions, powers, and sphere of duties of officers and other Employees Regulations, 1974.

1. **Short title.** — These regulations shall be called the Goa, Daman and Diu Housing Board Cadre recruitment of staff, functions, powers, and sphere of duties of officers and other Employees Regulations, 1974.

2. **Application.** — The recruitment rules shall apply to the posts in Column 1 of the Annexure V to these rules.

3. **Number, classification and scale of pay.** — The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in columns 2 to 4 of the said Annexure.

4. **Method of recruitment, age limit and other qualifications.** — The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 11 of the aforesaid Annexure.

5. These regulations will come into effect from the date of the Notification, and the recruitment rules will relate to appointments to the various posts made on or after this date, through a duly constituted staff Selection Board/Departmental Promotion Committee.

Carmo de Noronha, Chairman.

Panaji, 19th November, 1974.

**ANNEXURE I**

1. The duty of carrying out the provisions of the Goa, Daman and Diu Housing Board Act 1968 which vests in the Goa, Daman and Diu Housing Board shall be discharged through three branches of the organisation viz. i) Technical ii) Administrative and iii) Accounts & Finance.

2. The Chairman shall be the Chief Executive of the Board and subordinate and responsible to him shall be three statutory functionaries/Heads viz. i) Housing Engineer who shall be in charge of Technical Branch ii) Secretary who shall be in charge of Administrative Branch and iii) Chief Accounts Officer who shall be in charge of the Accounts & Finance Branch.

**3. The duties of the Housing Engineer shall be:**

- 1) He will be the Chief Technical Officer of the Engineering branch and will be responsible to the Chairman for the efficient working of that branch.
- 2) He will exercise efficient control over the subordinates and their day to day working and render advice and guidance to the Executive Engineer in the implementation of the various housing activities of the Board.
- 3) It is his duty to inspect all the important works to satisfy himself that the system of work followed is efficient and economical and that all rules, regulations and instructions regarding the execution of works, the custody of stock, tools and plants and other materials, and the maintenance of initial accounts are strictly observed and report to the Chairman and the Board his comments and findings on the progress of housing activities undertaken at various stages on construction etc.
- 4) Framing of all schemes of the Board, surveying, planning and designing as well as co-ordinating all the technical activities of the Board.
- 5) Advising the Chairman on all technical matters, scrutinise projects under housing, improvement and building schemes.
- 6) Undertake research on various problems connected with housing in general and find out in particular the economical methods of construction of houses suited to local conditions and design ways and means to minimize the expenditure on the maintenance with the help of Executive Engineer.
- 7) Any other matter that may be specifically assigned by the Board.

**4. The duties of the Secretary shall be:**

- 1) He will be the Head of Administrative Section of the Board and will be responsible to the Chairman for the efficient working of Board's administrative office.
- 2) He will attend to matters of staff other than concerning holders of the statutory posts.
- 3) He will be responsible for all matters regarding the convening and arranging of the meeting of the Board and all its sub-committees.
- 4) He will be responsible for the preparation of the agenda of the meetings of the Board and all its sub-committees, recording their minutes and writing minutes in the minute book after the confirmation by the Board.
- 5) He will be responsible for the follow up of all the decisions arrived at the Board's meetings and report the Board in its next meetings on the action taken.
- 6) He will be responsible to communicate and obtain the Government approval/confirmation as the case may be in all the cases wherever it is required.
- 7) He will be responsible to prepare and place before the Board the Annual Administrative Report as required under section 123 of the Act.
- 8) He will communicate the decision of the Board to all the Branches and obtain the progress reports on all such matter.
- 9) He will be responsible to lease and allot the buildings of the Board.
- 10) He will attend to all legal cases on behalf of the Board.
- 11) He will be responsible for the safe custody of the office seal and other valuable documents, agreements etc.
- 12) Any other matter that may be specifically assigned by the Board.

**5. The Duties of the Chief Accounts Officer shall be:**

- 1) He will act as Financial Advisor of the Board.
- 2) He will be responsible for the proper maintenance of the various Books of Accounts as required under the provisions of the Act and rules thereunder and to ensure that a sound financial and accounting system is maintained.
- 3) He will be responsible inter-alia:
  - i) for the proper scrutiny of all proposals involving financial implications or the application of the financial rules and regulations generally;
  - ii) for compiling the Board's budget and exercising budgetary control;
  - iii) for conducting an internal audit of all financial transactions of the Board and for reporting to the

Chairman all cases of financial irregularities and breach of financial rules and regulations;

- iv) for the proper maintenance of the accounts of the Board and for their prompt submission to the Board, Government of the Auditors as the case may be;
- v) for the expeditious disposal of all audit objections, and to report to the Chairman cases in which prompt or adequate action has not been taken by the Engineers or other officers responsible for the disposal of the objections.

4) He will scrutinize the rent statement in respect of tenements constructed and/or maintained by the Board and also all the contract documents, before they are sanctioned/approved and executed/entered by the Board.

5) He will conduct check of the reconciliation statements received from the Banks in respect of the cash balances of the Board with the accounts maintained by the Board.

6) He will cause to recover/collect all rents and other dues of the Board to make payments on behalf of the Board. He will keep accounts of all movable and immovable assets and properties and see that they are properly utilised to the best advantage of the Board.

7) He will give financial and technical advice to the Board on matters relating to accounting rules governing pay and allowances, leave, travelling allowance, pension, gratuity and other service conditions of officers and staff.

8) Any other matter that may be specifically assigned by the Board.

6. The spheres of duties of other employees shall be as may be detailed in executive instructions/orders issued by the respective Head with the approval of the Chairman.

7. The procedure to be adopted for the functioning of the Office of the Board and various Branches shall be the same as that followed by the Officers of the Government of the Union Territory. The Chairman shall be deemed to be the head of Department for the purpose of Office Management and any rules/instructions/orders framed thereunder, the Board being the Final Authority in all cases.

8. The procedure to be adopted for sanctioning of expenditure shall be the same as that prescribed under General Financial Rules and the Delegation of Financial Powers Rules of the Central Government, and shall apply as far as possible to Housing Board subject to the modification that the powers assigned to the Government in those rules, Regulations etc. shall be exercised by the Board. The Chairman shall be deemed to be the Head of the Department for the purposes of these Rules.

9. The methods and procedure to be observed by the Board in dealing with financial transactions and regulating the custody of money received on account of revenue of the Board their payment into the appointed Bank, and withdrawal therefrom and other matters connected therewith will be based on the provisions as contained in the General Financial Rules and Central Treasury Rules of the Central Government shall apply as far as possible to the Housing Board subject to the modification that the powers assigned to the Government in those Rules, Regulations etc. shall be exercised by the Board. The Chairman shall exercise the powers of the Head of Department under these Rules.

10. The accounts of the Board shall be maintained in Commercial form as provided in Rule 15 of the Goa, Daman and Diu Housing Board Rules 1969 adopting procedures prescribed under the Account Codes of the Central Government as far as possible. Subject to the modification that the powers if any, assigned to the Government in those Rules, Regulations etc. shall be exercised by the Board. The Chairman shall exercise the powers of the Head of Department under these rules.

11. For execution of works and related matters the Board shall as far as possible adopt the procedure laid down in the Central Public Works Codes and Manual as provided in Rule 5(4) & (5) of the Goa, Daman and Diu Housing Board Rules 1969 vesting all the powers thereunder with the Board and delegating the same to officers of the Technical Branch to the extent granted to engineers of the Public Works Department under the respective orders and instructions in force, issued by the Ministry of Works and Housing, New Delhi. The powers delegated to the Principal Engineer of the Public Works Department (Goa, Daman and Diu) shall vest with the Technical Committee of the Board and all other powers shall be exercised by the Board.

12. The service conditions of the employees of the Board shall be the same as are applicable to the Government employees of the Union Territory as per the relevant rules/regulations/instructions in force from time to time, subject to the modification that the powers assigned to the Government in those rules/regulations/instructions etc. shall be exercised by the Board. The Chairman shall exercise the powers of the Head of Department under these rules. The pay scales of the posts of the Cadre of the Goa, Daman and Diu Housing Board will be those of the Central Pay Scales applicable to the corresponding posts in the Union Territory of Goa, Daman and Diu from time to time. The various allowances and other remuneration will also be at the rates admissible to the Government employees of the Union Territory of Goa, Daman and Diu under the relevant rules and instructions in force from time to time.

As regards the adoption of G.P.F. Rules, the Board shall maintain a separate Fund Account with the State Bank of India of Savings Bank Account and all transactions of these accounts shall be maintained therefrom. The investment pattern of the accumulated funds shall be as follows:

- i) Three-fourth of the accounts standing in the Account at the end of each quarter shall be invested in long term deposit receipts of the Bank with period ranging from 2 years to 10 years in order to earn a rate of interest equivalent or more than required to be paid on the accounts.
- ii) The balance amounts in the S.B. Account exceeding Rs. 1,000/- or such other sums as the Board may decide from time to time to be invested in the multiples of Rs. 100/- in Fixed Deposit Receipts for periods not exceeding 2 years as the Chairman decides in each case.

The Board will allow the interest on the deposits as per rates of interest in force as applicable in Government. However in case the total interest earned on deposits with Bank is less than the interest payable to the subscribers then such difference shall be carried forward to be adjusted against the future earning of interest on Deposit Receipts invested with the Bank.

**Pension Rules:** A pension fund shall be established by the Board crediting to that account yearly such sums equivalent

to the amount of pension contribution of each employee as worked out on the basis of FR 116, these sums shall be invested in Bank Deposit Receipts for periods of 10 years every year in the multiples of Rs. 100/- and the balance amount together with the interest earned on the investment be credited to a Savings Bank Account with the Bank. All amounts exceeding Rs. 1,000/- in the multiples of Rs. 100/- to be invested from the Savings Bank Account balance. The payments to be made to the staff of Pension and/or Gratuity shall be made out of this fund.

13. For smooth functioning and day to day working of the office, powers will be delegated to the Chairman, Housing Engineer, Secretary and Chief Accounts Officer to the extent and limitations shown in the annexure I. The exercise of powers contained in this Annexure shall also be subject to general provisions of the Goa, Daman and Diu Housing Board Act, 1968 and rules/regulations framed thereunder.

14. The composition of the establishment of the Board, various categories of the posts, their number, pay-scales, educational qualifications and other conditions of recruitment shall be given in Annexure II to IV. The appointment of Chief Accounts Officer, Housing Engineer and Secretary shall be made by the Government and the remaining staff by the Board as prescribed in the respective recruitment rules in Annexure II to IV provided that the initial recruitment to the Cadre may be made by the absorption of the existing Government staff already working in connection with the affairs of the Board, to the corresponding posts of the same scale & status, and that the incumbents are competent and are required by the Board to be retained in its employment.

15. The composition of appointment/promotion committees for various posts shall be as follows:—

Chairman: — Chairman of the Board.

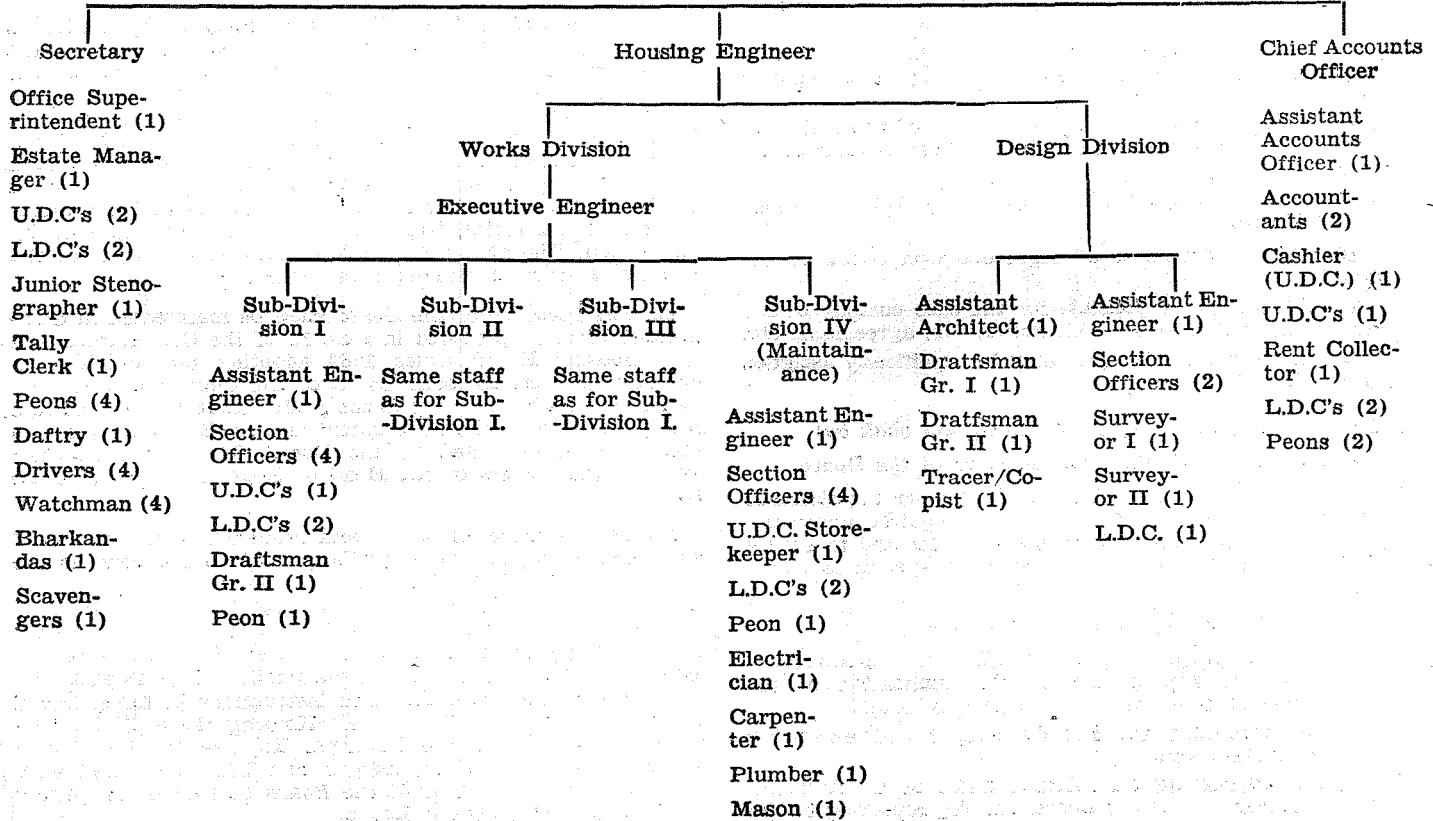
Members:

1. Head of Branch where the vacancy exists.
2. Another Head of Branch nominated by the Chairman.
3. One member of the Board nominated by the Board.

#### ANNEXURE II

##### Proposed Staff Cadre for Goa, Daman and Diu Housing Board

Chairman



## ANNEXURE III

Sr. No.	Authority	Extent of power
1.	Chairman of the Goa, Daman and Diu Housing Board.	1) Powers of Head of Department, as defined in the Delegation of Financial Power Rules 1958 (See Rule 2(e) as well as for the provisions of Fundamental Rules, Supplementary Rules, Central Treasury Rules and Other Central Rules, Regulations/Orders in force in the Union Territory of Goa, Daman and Diu.
2.	Housing Engineer.	2) Powers of Superintending Engineer of Public Works Department of the Union Territory of Goa, Daman and Diu, so far as the technical powers are concerned.
3.	Secretary.	3) Powers of the Head of Office as defined in the Delegation of Financial Power Rules 1958 (See Rule 2(ee) and 10A) as well as for the provisions of Fundamental Rules, Supplementary Rules, Central Treasury Rules and Other Central Rules, Regulation/Orders in force, in the Union Territory of Goa, Daman and Diu. Any other powers delegated to him (vide schedule, A attached to this annexure).

## SCHEDULE A

## Statement showing powers proposed to be delegated to the Secretary

Sr. No.	Relevant Rule	Power	Extent
1	2	3	4
<b>I. Under the Fundamental Rules</b>			
1.	71	To require medical certificate of fitness before return from leave.	Full powers in the case of non-gazetted Board servants, if competent to grant leave.
<b>III. Under the Supplementary Rules</b>			
2.	30b)	To decide the shortest of the cheapest of two or more routes.	Full powers for journey within his jurisdiction.
3.	31	To allow mileage allowance by a route other than the shortest or cheapest.	Full powers within his jurisdiction, provided selection of route is in Board's interest.
4.	42	To declare in cases of doubt or hardship, the class of steamer accommodation to which a Board servant is entitled.	Full powers.
5.	59	To prescribe a Board servant's headquarters.	Full powers in the case of non-gazetted staff.
6.	60	To define the limits of a Board servant's sphere of duty.	Full powers in the case of non-gazetted staff.
7.	63	To restrict the frequency and duration of journeys.	Full powers in the case of non-gazetted staff.
8.	75	To allow the exchange of daily allowance for mileage allowance.	Full powers in respect of non-gazetted Board's servants.
9.	76	To impose restrictions on the exchange of daily allowance for mileage allowance on particular, days by Board servants (in superior service).	Full powers in respect of non-gazetted Board's servants.
10.	77	To impose restrictions on the exchange of daily allowance for mileage allowance by non gazetted ministerial servants travelling in a public or hired conveyance.	Full powers in respect of non-gazetted Board's servants.
11.	191	To countersign travelling allowance bills gazetted and non gazetted servants of the Board.	Full powers other than powers of self controlling officer, and with exception of the incumbents of the statutory posts.
12.	206	Power to grant leave, other than special disability leave, to non-gazetted Board servants.	Full powers, subject to limitations as laid down in the C. S. (Leave) Rules 1972.
13.	210 & 211	To waive proviso (a) to S. R. 209 and to authorise departures from S. T. 211 regarding combination of holidays with leave and joining time.	Full powers.
14.	213	Power to accept a certificate of fitness by any registered medical practitioner.	Full powers in the case of non-gazetted Board Servants. Subject to limitations if any laid down in the C. C. S. (Leave) Rules 1972.
15.	267 & 269	To grant maternity and hospital leave.	Full powers in the case of non-gazetted Board Servants. Subject to limitations if any laid down in the C. C. S. (Leave) Rules 1972.
16.	296	To permit calculation of joining time by a route other than that which travellers ordinarily use.	Full powers.
17.	302	To extend joining time within a maximum of 30 days.	Full powers in the case of non-gazetted Board servants.
<b>III. Under the G. F. R. 1968</b>			
18.	83	Power to sanction investigation of claims for arrears of pay, etc. which are not more than 3 years old.	Full powers.
19.	222 & 231	Power to sanction advance to Board servants on transfer, tour etc.	Full powers subject to the limits and conditions laid down in rules 223, 226 and 232

		3	4
20.		Schedule V power to incur contingent expenditure other than that covered by item 23, under the D.F.R. Rules 1958.	to 234. In the case a Board, servants not holding a permanent post under Government/Board a surety bond will have to be executed by another Government/Board servant holding a permanent post.
21.		Annexure to schedule V <i>ibid</i>	Recurring Rs. 500 per annum in each case. Non recurring Rs. 2,500/- in each case.
		1) Bicycle.	Full powers, (Subject to the Rules of purchase of stores).
		2) Conveyance hire.	Taxi hire or other conveyance hire actually paid may be reimbursed to a Board servant (excluding himself) when a journey is performed in connection with the business of the Board within a radius of 8 kms. from his head quarters in a taxi or other conveyance and where no travelling allowance is admissible subject to the following conditions.
		3) Electric, Gas and Water charges.	i) The total amount of taxi hire or other conveyance hire reimbursed to a Board servant shall not exceed Rs. 50/- in any one month and;
		4) Fixtures and Furnitures purchase and repairs.	ii) That Board vehicle could not be made available for the particular journey.
		5) Freight, demurrage and wharfage charges.	Full powers.
		6) Maintenance, repairs and upkeep of motor vehicles and trucks.	Rs. 2,500/- per annum per office.
		7) Supply of uniforms, badges and other items of clothing and washing allowance.	Rs. 100/- in each case.
		8) Hire of office furniture, electric fans, coolers, clocks, call bells etc.	Full powers within the estimates sanctioned by the Board.
		9) Legal charges.	Full powers in respect of cass IV staff and car drivers of the Board subject to the rules and regulations of the Goa, Daman and Diu Administration.
		i) Fees to pleaders etc.	Rs. 1,200/- per annum per office.
		ii) Other legal charges.	
		10) Municipal rates and taxes.	Full powers with prior approval of the Board as regards fixing the scales.
		11) Postal, telegraph and telephone charges including charges of remittance of money due to contractors, suppliers etc.	Full powers subject to obtaining prior approval of the Board for the institution of Law suits in each case.
		12) Printing and binding.	Full powers.
		13) Publications.	Full powers.
		i) Official.	Rs. 1,000/- per annum.
		ii) Non-Official including books, periodicals, news-papers etc.	Full powers subject to the ceiling of Budget Provisions.
		14) Staff paid from contingencies.	Full powers subject to scales of remuneration being approved by the Board for the various categories.
		15) Purchase of stationery.	Rs. 2,000/- per annum.
		16) Purchase of rubber stamps and other office seals.	Rs. 100/- per annum subject to a limit of Rs. 20/- at a time.
		17) Upkeep of typewriters, calculating machines, copying machines etc.	Full powers.
		18) Stores (other than stores required for maintenance works, original works etc.).	Rs. 500/- in each case subject to a ceiling of Rs. 5000/- per annum.
		<b>IV. Under the Treasury Rules</b>	
22.	109	(2) Power to authorise a departure from the provisions of rule 109(1) relating to custody of Board money.	Full powers.
23.	219	(1) Power to direct the payment on the last working day of the month of the pay and allowances of Board servants where the 1st 3 days of the following month are public holidays.	Full powers.
24.	285	(2) Power to order the retention of undisbursed pay and allowances of non-gazetted establishment for a period not exceeding 3 months.	Full powers.

## ANNEXURE IV

Name of Post	No. of post	Classification	Scale of pay	Whether selection post or non-selection post	Age for direct recruitment	Educational and other qualifications required for direct recruitments	Whether age & educational qualification prescribed for direct recruit. will apply in case of promotion	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/ transfer, grades from which promotion/deputation/transfer/to be made
1	2	3	4	5	6	7	8	9	10	11
Secretary	One	Class II	650-30-740-35-810-EB-35-880-40-1000-EB-40-1200	Selection	Not applicable	Not applicable.	Not applicable	2 years	By promotion/ transfer on deputation (statutory post).	<i>Promotion:</i> Supds. with 5 years service in the grade. <i>Transfer on deputation:</i> suitable officers holding analogous posts under the State Govts. (period of deputation ordinarily not exceeding 3 years).
Superintendent	—do—	Class III	550-25-750-EB-30-900	—do—	—do—	—do—	—do—	—do—	Promotion/transfer on deputation.	<i>Promotion:</i> Departmental promotion on the basis of competitive examination limited to Head Clerks/Estate Managers having at least 3 years service in the grade in the scale of 425-15-300-EB-15-560-20-700. <i>Transfer on deputation:</i> Suitable official holding equivalent post in the State Govt. (Deputation normally will be for a period of 3 years).
Estate Manager	—do—	—do—	425-15-300-EB-15-560-20-700	Non-Selection	20 to 24 years	Degree of a recognised university or equivalent.	—do—	—do—	Direct recruitment failing which promotion, failing both transfer/deputation. Deputation will normally be for 3 years.	<i>Promotion:</i> U.D.C's having at least 3 years standing in the grade. <i>Transfer on deputation:</i> Suitable official holding equivalent post in the State Government.
Upper Division Clerks	Seven	—do—	330-10-380-EB-12-500-EB-15-560	Selection	18 to 21 years	Intermediate/Senior Cambridge Higher Secondary Certificate or equivalent qualification.	—do—	—do—	Promotion/direct recruitment failing both, transfer/deputation.	<i>Promotion:</i> From the grade of L.D.C's having at least 3 years standing in the grade. <i>Transfer/deputation:</i> Suitable official holding equivalent post in the State Government.

	1	2	3	4	5	6	7	8	9	10	11
<b>Junior Stenographer</b>	One	Class III	330-10-380-EB-12-500-EB-15-560	Not applicable	18 to 25 years	Matriculation or equivalent until replaced by Higher Secondary ii) Speed of 100 w.p.m. in shorthand and 35 w.p.m. in typewriting.	N.A.	2 years	Direct recruitment.	Not applicable.	
<b>Lower Division Clerks</b>	—do—	—do—	260-6-290-EB-6-326-3-368-EB-8-390-10-400	Non-Selection	18 to 21 years	1. Matriculation or equivalent qualifications until replaced by Higher Secondary. 2) Speed of 30 w.p.m. in typewriting in English subject to orders which are issued from time to time (relaxable for the physical handicapped persons who are otherwise qualified to hold the aforesaid post and who are certified as being unable to type on account of physical disability by the Medical Board attached to the Special Employment Exchange or by staff surgeon until such a Board is set up by the Directorate of Employment and Training.	Age: No Qls.: Yes	—do—	87½% direct recruitment 12½% promotion. Promotion failing which direct recruitment.	Promotion from Class IV employees.	
<b>Tally/Clerk</b>	—do—	—do—	260-6-326-EB-8-350	—do—	Below 25 years	VIII th Class Pass.	—do—	—do—	Promotion direct recruitment.	<b>Promotion:</b> Class IV staff of the department.	
<b>Daftry</b>	—do—	Class IV	200-2-206-4-234-EB-4-250	Selection	Not applicable	Not applicable.	N.A.	—do—	Promotion	Peon Bharkandas of the office in which the vacancy arises with 2 years service in the grade.	
<b>Driver</b>	Four	Class III	Heavy motor vehicle 260-6-290-EB-6-326-3-368-EB-3-390-10-400 Light Motor vehicle 260-6-326-EB-8-350	N.A.	25 to 35 years	1. For drivers of Heavy Motor Vehicles. Driving Licence of Heavy Motor Vehicles with 2 years of unblemished experience in the line. 2. For driver of Light Motor Vehicles Driving licence of light vehicle with 2 years of unblemished experience in the line.	Age: No Qls.: Yes	—do—	Direct recruitment.	Not applicable.	
<b>Watchman</b>	—do—	Class IV	196-3-220-EB-3-232	—do—	18 to 25 years	—	N.A.	—do—	—do—	Not applicable.	
<b>Bharkandas</b>	One	—do—	—do—	—do—	—do—	Middle class or equivalent preferably with English.	—do—	—do—	—do—	—do—	
<b>Peon</b>	Ten	Class III	—do—	—do—	—do—	—	—do—	—do—	—do—	—do—	
<b>Sweeper</b>	—do—	Class IV	—do—	—do—	—do—	—	—do—	—do—	—do—	—do—	
<b>Scavengers</b>	—do—	—do—	—do—	—do—	—do—	—	—do—	—do—	—do—	—do—	

**ANNEXURE V**

Name of Post	No. of post	Classification	Scale of pay	Whether selection post or non-selection post	Age for direct recruitment	Educational and other qualifications required for direct recruitments	Whether age & educational qualification prescribed for direct recrt. will apply in case of promotion	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputatio /transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputatio / transfer, grades from which promotion/ deputation/transfer/to be made
1	3	3	4	5	6	7	8	9	10	11
Housing Engineer	One	Class I	700-40-1100-50-2-1250, + a sp. pay of 100/- p.m. * Due for revision on receipt of revised scales as per recommendations of 3rd P.C. for Class I Posts of the U.T. of Goa, Daman and Diu.*	Non-Selection	Not applicable	Not applicable.	N. A.	2 years	By promotion failing which by transfer on deputation (Statutory post).	<b>Promotion:</b> Executive Engineer/Surveyor of works possessing a degree in Civil Engineering.
Executive Engineer	—do—	—do—	700-40-1100-50-2-1250 * —do— *	Selection	40 years & below (relaxable for Boards servants)	<b>Essential:</b> i) Degree in Civil Eng. of a recognised University or equivalent. ii) About 7 years experience in Civil Eng. in Class I and II posts, or posts carrying equivalent responsibilities, out of which 4 years should be as Assistant Executive Engineer or in posts carrying equivalent responsibilities.	Age: No Qls.: Yes	— do —	By promotion failing which by transfer on deputation failing both by direct recruitment.	<b>Transfer on deputation:</b> Suitable officer holding analogous posts under the State P.W.D. (Period of deputation not exceeding 3 years).
Asst. Engineer/ Asstt. Surveyor of Works	Five	Class II	650-30-740-35-810-EB-35-880-40-1000-EB-40-1200	— do —	30 years & below (relaxable for Boards servants)	<b>Essential:</b> Degree in the appropriate branch of Engineering from a recognised University or equivalent.	Age: No Qls. to extent indicated in Col. II	— do —	By promotion 50% failing which by direct recruitment. By direct recruitment 50%.	<b>Promotion:</b> Section officers with 5 years total experience in the case of degree holders in appropriate branch of engineering or/10 years total service in the case of diploma holders in the appropriate branch of engineering.
Asstt. Architect	One	—do—	— do —	N. A.	—do—	<b>Essential:</b> Degree in Architecture from a recognised University or equivalent. Some professional experience.	N. A.	— do —	By direct recruitment failing which by transfer on deputation.	<b>Transfer on deputation:</b> Suitable officer holding analogous posts under State P.W.D. (Period of deputation not exceeding 3 years).
Section Officers	Eighteen	Class III	425-15-500-EB-15-560-20-700	N. A.	25 years (Relaxable for Boards servants)	Diploma or Degree or Certificate in Civil Engineering from a recognised Institution.	N. A.	— do —	Direct recruitment failing which by transfer on deputation.	Transfer on deputation, suitable official holding analogous post in the State Government, P.W.D.

1	2	3	4	5	6	7	8	9	10	11
Draughtsman I	One	Class III	425-15-500-EB-15-560-20-700	Selection	18 to 30 years	1. Matriculation or equivalent. 2. Diploma in Civil Engineering preferable with one year experience as draughtsman.	Age: No Qls.: Yes	2 years	Promotion failing which by direct recruitment by transfer on deputation	<b>Promotion:</b> Draughtsman II with 2 years experience in the grade. Transfer on deputation from P.W.D. or any other department under the Govt. of Goa, Daman and Diu.
Draughtsman II	— do —	— do —	330-10-380-EB-12-500-EB-15-560	— do —	— do —	1. Matriculation or equivalent. 2. Diploma in Draughtsman course. 3. One year's experience as draughtsman.	— do —	— do —	Promotion failing which by direct recruitment	<b>Promotion:</b> Draughtsman III with 2 years service in the grade.
Draughtsman III	— do —	— do —	260-8-300-EB-8-740-10-380-EB-10-430	N.A.	18 to 25 years	<b>Essential:</b> 1. Matriculation or equivalent. <b>Desirable:</b> Diploma in Draughtsman course.	N.A.	— do —	Direct recruitment.	Not applicable.
Tracer	— do —	— do —	— do —	N.A.	25 years	1. Matriculation or equivalent. 2. Diploma in D's course or practical experience in the line.	N.A.	— do —	— do —	— do —
Surveyor Grade I	— do —	— do —	425-15-500-EB-15-560-20-700	Selection	18 to 25 years relaxable for Board's servants.	Diploma in Civil Engineering or a recognised Institution/certificate of proficiency in surveying (2 years course after Matriculation) with at least 3 years experience in Land Survey.	N.A.	— do —	Promotion failing which by direct recruitment	<b>Promotion:</b> Surveyor Grade II with 3 years service in the respective grade.
Surveyor Grade II	— do —	— do —	330-10-380-EB-12-500-EB-15-560	N.A.	N.A.	<b>Essential:</b> 1. Intermediate/Higher Secondary/Senior Cambridge or equivalent with science subjects. 2. A certificate of proficiency in surveying with at least 3 years experience in Land Survey.	N.A.	— do —	Direct recruitment failing which transfer on deputation.	<b>Transfer on deputation:</b> From Land Survey Department holding analogous post.
Carpenter	— do —	— do —	260-6-326-EB-8-350	N.A.	30 years	I.T.I. Certificate equivalent qualified from a recognised Institution.	N.A.	— do —	Direct recruitment.	Not applicable.
Electrician	— do —	— do —	— do —	N.A.	30 years and below	I.T.I. Wiremans certificate or equivalent from a recognised institution having 8 years experience in the trade.	N.A.	— do —	— do —	— do —

Plumber	— do —	— do —	— do —	N. A.	30 years	Certificate course of plumber-cum-fitter from any recognised institution or registered P.W.D. plumber cum-fitter with practical experience in line.	N. A.	— do —	— do —	— do —
Mason	— do —	— do —	— do —	N. A.	30 years and below	Certificate course in masonry work from any recognised institution (relaxable clause) professional experience of three years.	N. A.	— do —	— do —	— do —

## ANNEXURE VI

Name of Post	No. of post	Classification	Scale of pay	Whether selection post or non-selection post	Age for direct recruitment	Educational and other qualifications required for direct recruitments	Whether age & educational qualification prescribed for direct recrt. will apply in case of promotion	Period of probation if any	Method of recruitment whether by direct recruitment or by promotion or by deputation/transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/ transfer, grades from which promotion/ deputation/transfer/to be made
1	2	3	4	5	6	7	8	9	10	11
Chief Accounts Officer	One	Class II	840-40-1000-EB- -40-1200	Selection	Not applicable	Not applicable.	Not applicable	2 years	By promotion/ transfer on deputation (statutory post)	<b>Transfer on deputation:</b> Suitable Accounts Officer holding analogous post under the State Govt. Accounts Cadre.  <b>Promotion:</b> Asstt. Accounts Officer with 5 years service in the grade.
Assistant Accounts Officer	— do —	— do —	550-25-750-EB- -30-900	— do —	— do —	— do —	— do —	— do —	By promotion.	  <b>Promotion:</b> Accountant with 5 years service in the grade subjects the condition of passing the examination of Accountants laid down by the Directorate of Accounts.
Accountant	Two	Class III	425-15-566-EB- -20-640	— do —	21 to 25 years	1. B.A. with Economics or B.Com. with Advanced Accountancy as a subject. 2. Experience in Accounts and/or Audit for a period of 3 years.	— do —	— do —	Promotion 50% (Promotion, failing which direct recruitment) Direct recruitment 50% failing either of the two transfer/deputation. (The period of deputation ordinarily be 3 years).	  <b>Promotion:</b> U.D.C's of the Depts. with at least 2 years experience as Accounts clerks and subject to passing of examination of Accountants held by the Directorate of Accounts.  <b>Transfer on deputation:</b> A suitable official holding analogous post in State Government.

## Law and Judiciary Department

## Notification

LD/MISA/74

The following notification received from the Government of India, Ministry of Home Affairs, New Delhi, is hereby published for general information of the public.

*M. S. Borkar*, Under Secretary (Law).

Panaji, 5th December, 1974.

## GOVERNMENT OF INDIA

## MINISTRY OF HOME AFFAIRS

## Notification

*New Delhi, the 16th November 1974*

G.S.R. 659(E).—In exercise of the powers conferred by clause (1) of article 359 of the Constitution, the President hereby declares that—

(a) the right to move any court with respect to orders of detention which have already been made or which may hereafter be made under section 3(1)(c) of the Maintenance of Internal Security Act, 1971 as amended by Ordinance 11 of 1974, for the enforcement of the rights conferred by article 14, article 21 and clauses (4), (5), (6) and (7) of article 22 of the Constitution, and

(b) all proceedings pending in any court for the enforcement of any of the aforesaid rights with respect to orders of detention made under the said section 3(1)(c),

shall remain suspended for a period of six months from the date of issue of this Order or the period during which the Proclamation of Emergency issued under clause (1) of article 352 of the Constitution on the 3rd December, 1971, is in force, whichever period expires earlier.

2. This order shall extend to the whole of the territory of India.

[No. 11/16011/14/74-S&P(D.II)]

N. K. MUKARJI, Secy.

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PRICE — Rs. 2-90 P.

Rent Collector	One	Class III	260-6-290-EB- -6-326-EB-3- -386-EB-3-390- -10-400	Not applic- able	N. A.	Not ap- plicable	Matriculation or equiv- alent qualifications until replaced by Higher Se- condary. 2) Speed of 30 w. p. m. in typewriting in English subject to orders which are issued from time to time (relaxable for the physical handi- capped persons who are otherwise qualified to hold the aforesaid post and who are certified as being unable to type on account of physical disability by the Medical Board atta- ched to the Special Em- ployment Exchange or by staff surgeon until such a Board is set up by the Directorate of Employ- ment and Training.	Direct recruit- ment.	Transfer L.D.C. of the De- partment.	
1	2	3	4	5	6	7	8	9	10	11